

ATTN: Lt. Chuck Wilson
Internal Affairs

New Hanover County Detention Facility
Inmate Request Form

4144

Name: Michael Anthony Dilworth Inmate #: 356553 Housing Unit: V Cell: 115

Inmate: ***Only One Request Per Request Form*** ***Explain In Detail On Back Of Form***

NOTE: Health Care – Medical Or Dental – Use Medical Request Form And Place In Sick Call Box.

Shift Supervisor

Classification Officer

Notary Service

Finance

Kitchen

Chaplain

Law Library

Programs

Indigent Request

Property Officer

- ☐ Court Information - Release Date, Court Date, Bond, Etc.
- ☐ Grievance ☐ Grievance Related To Medical Staff ☐ Other
- ☐ Request Inmate Worker Status
- ☐ Request Inmate Worker Gain Time (after being sentenced)
- ☐ Appeal Disciplinary Action ☒ Grievance
- ☐ Housing Assignment Complaints ☐ Problems With Other Inmates
- ☐ DOC Information ☐ Work Release
- ☐ Questions Concerning Transportation (shipping)
- ☐ Request To Plead Guilty (criminal charges) Attorneys Name _____
- ☐ Request To Be Considered For Pre-Trial Release
- ☐ Request To See Mental Health Staff ☐ Other
- ☐ Items To Be Notarized ☐ Other
- ☐ Matters Relating To Your Money and/or Commissary Order ☐ Other
- ☐ Food Services ☐ Special Diets ☐ Grievance ☐ Other
- ☐ Religious Literature ☐ Religious Counseling ☐ Other
- ☐ Request For Law Books ☐ Request For Legal Copies ☐ Other
- ☐ English As A Second Language ☐ GED
- ☐ 12 Step Alcoholics / Narcotics Anonymous Group
- ☐ Second Chance ☐ Domestic Violence ☐ Life Skills
- ☐ Christian Bible Study ☐ Muslim Taleem Service
- ☐ Jehovah's Witnesses ☐ Catholic Mass
- ☐ Request For Games ☐ Other
- ☐ Request Indigent Package (must be incarcerated at least 5 days, and have no money)
(you may receive one every 14 days; you will be charged \$4.00 when funds become available)
(Package will contain 3 stamped envelopes, 1 pen, 4 sheets of paper, toothpaste, toothbrush, deodorant)
- ☐ Release of Property: I _____ authorize all of my personal
effects to be released to _____ (excludes clothes)
Person authorized to receive property
I _____ received the property released by above inmate.
Person receiving property: printed name

Person receiving property: signature

Date/ Time

Explain in detail on back of form, also include what actions you would like to see taken.

Explain in detail below, also include what actions you would like to see taken.

1. How CAN I be charged and found guilty of fighting or engaging in mutual physical confrontation not involving weapons with Officer Cookson?
2. What was the threat that I communicated to Officer Cookson, verbatim?
3. Officer Cookson was between the slider in M-Pod leaving so exactly how did I interfere with him performing his duty? Please be specific?
4. None of these rules are posted anywhere and I have never seen a rule book. The one time I asked to see a rule book the officer couldn't find one.
5. What order did I disobey?
6. Why WAS I not allowed a hearing?
7. Why WASN'T I allowed to have assistance?
8. Why WASN'T I allowed to ask for witness statements?
9. I WASN'T jumping on Officer Trott or assaulting him in ANY way so what reason did Officer Trott have to take it upon himself to use force against me?
10. Officer Trott was less than two feet from me so if my actions were such that I needed force used against me Officer Trott would have been the first to respond and not wait for Officer Cookson to cross at least twenty-five feet.

Please send me a copy of this grievance with your response.

7/25/13

MR DILWORTH,

THE PROFESSIONAL STANDARDS UNIT &

USE OF FORCE COMMITTEE HAVE CONCLUDED THEIR REVIEW OF THIS MATTER &

Inmate signature:

M. L. Anthony Dilworth

IT IS
CONSIDERED
UNFOUNDED

Date 7-23-13

Officer receiving request: Det. J. Bratten & Bunk BLS

Case 5:13-cv-03291-D Document 1-1 Filed 11/25/13 Page 2 of 10

THIS MATTER IS DONE

AD C

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1. I was held 41 days in disciplinary segregation without a hearing.
2. (Due process under the 14th Amendment to the Constitution of the U.S. requires A disciplinary hearing before I can be punished)
3. If I had had a hearing I would not have gotten 41 days in segregation among psychotics. (5-11-13)
4. And if I had gotten a hearing for 7-5-13 I would not have gotten 45 days.
5. I have twice been place in disciplinary segregation without a hearing.

MR D. L. Worth,

7/16/13

you can follow our written process in the INMATE HANDBOOK for your grievance in regards to time limit to appeal, if it is past the noted time then this is ungr-able proper process can not follow by you.

LIT RUT

Please send me a copy of this grievance.

Inmate signature:

Michael Anthony Elsworth

Date 7-15-13

Officer receiving request:

Deputy Warden Deputy Evans A40

H. T. Robinson

New Hanover County Detention Facility Inmate Request Form

 **COPY**

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N.C.G.S. §153-224. Supervision of local confinement facilities. (a) No person may be confined in a local confinement facility unless custodial personnel are present and available to provide continuous supervision in order that custody will be secure and that, in the event of emergency, such as fire, illness, assault by other prisoners, or otherwise, the prisoners can be protected. The personnel shall supervise prisoners closely enough to maintain safe custody and control and to be at all times informed of the prisoners' general health and emergency medical needs. (c) If a person violates any provision of this section, he is guilty of a Class 1 misdemeanor.

On 5-11-13 in HU-N of NHC-DE Officer Thomas, Officer White, Cpl. Grady, Cpl. Williams, Sgt. Bean, Lt. Johnson and Sheriff E. McMahon failed to provide continuous supervision, causing insecure custody, which led to an assault on me by another prisoner because personnel did not supervise prisoners closely enough to maintain safe custody and control so that prisoners can be protected and not have to protect themselves.

Lt. Fales' response to my appeal confirms a breakdown of supervision on a continuous level by relying on a video that could not determine who started the fight or how as well as showing Officer Thomas providing "due diligence" by conducting rounds on the upper tier while the alleged fight was in its initial stages on the lower tier.

Why did Officer Thomas not stay on the lower tier where prisoners were out of their cells? Lt. Fales report confirms that Officer Thomas left over 25 prisoners unsupervised on the lower tier and that surveillance was inadequate to determine who started the alleged fight on the lower tier. Where was Officer White?

In one hour and ten minutes (without a disciplinary hearing) from the incident I was given 45 days segregation in violation of my Due Process Clause constitutional rights. Confinement in segregation without a disciplinary hearing is unconstitutional. Lt. Johnson approved the 45 days and Lt. Fales upheld the 45 days with no hearing both denying due process. To date no hearing has been held and no hearing has been scheduled. Segregation in question is Punitive Segregation.

If a hearing would have been held it is likely I would have been cleared or received a less severe punishment. The Supreme Court held that persons held in jail who have not been convicted of anything cannot be punished. I have not been convicted of anything.

Therefore, I am seeking \$200 per day for compensatory damages and \$50,000 lump sum for 45 days in segregation. To be settled in 30 days out of court, through mediation.

Please Send Me A Copy Of This Grievance

Inmate signature:

M. L. Anthony

Date ¹¹⁵⁰ 7-12-13

Officer receiving request:

ATTN: Lt. T. Robinson

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1. Sgt. Gentry for a fact, AND other staff placate JAMES JORDAN who urinates out his cell door AND chant at the top of his lungs by bringing him pack-out sandwiches AND he still keeps doing those things.
2. It is violating my Eighth Amendment rights by sleep deprivation, sanitation AND pandemonium AND bedlam.
3. I shouldn't have to suffer from being confined with a mentally ill prisoner who can't AND don't control their behavior.
4. Prisoners with mental health problems must be placed in a separate area or a mental hospital AND not in punitive or Administrative segregation.
5. By prisoners failing to receive adequate mental health services my Eighth Amendment rights is being violated.
6. If mentally ill prisoners CAN receive pack-out sandwiches that are not prescribed by a doctor then every one in segregation should receive pack-out sandwiches for having to endure their psychotic episodes.
7. Under N.C.G.S. 122C-322; 122C-261; 122C-262; 122C-263; 122-268 AND most of the chapter on 122C discusses how these psychotic people in your jail can get to where they are suppose to be.

Please send me a copy of this grievance.

I HAVE SPOKEN WITH SST. GENTRY ABOUT THIS MATTER.

Lt. L.C. ROBINSON #37
07/29/13

(GRIEVABLE)

Inmate signature: M. L. Anthony D. Douth

Date 7-25-13

Officer receiving request: D.O. Survis C-42

444

Inmate: *Only One Request Per Request Form*** ***Explain in Detail On Back Of Form*****

Explain in detail below, also include what actions you would like to see taken.

1. I AM being confined with psychotic prisoners, i.e. James Jordan, D. McIntyre.
2. I WAS confined with psychotics from 5-11-13 to 6-20-13, i.e. James Jordan, D. McIntyre.
3. This was and is improper confinement.
4. This is a violation of my Eighth and Fourteenth Amendment rights.
5. (\$125 a day for confinement among psychotics)

Mr Dilworth,

7/16/13

YOUR ASSIGNMENT IS DISCIPLINARY AND THE
HOUSING UNIT THAT YOU ARE IN ~~IS~~ HAS
THOSE WHO CAN'T BE IN GENERAL POPULATION AND
THEIR ASSIGNMENT IS IN A UNIT THAT
DISCIPLINARY SEGREGATION IS HELD.

LT. H. J.

Please send me a copy of this grievance.

Inmate signature:

M. D. Anthony Rhoads

Date

7-15-13

Officer receiving request:

Deputy Evans Deputy Evans 440